

Provo City Planning Commission

# Report of Action

July 26, 2023

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Item 4 Morgan Lynch requests Project Plan approval for a new 306-unit apartment building in the CMU (Campus Mixed-Use) zone, located at 870 North 50 East. Joaquin Neighborhood. Dustin Wright (801) 852-6414  
dwright@provo.org PLPPA20220030

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The following action was taken by the Planning Commission on the above described item at its regular meeting of August 09, 2023:

## CONTINUED

On a vote of 6:0, the Planning Commission continued the above noted application to their next meeting and asked the applicant to look into alternative concepts with higher percentage of studio apartments and a commercial component, and increased ride share. Staff was asked to provide some information related to parking numbers and units in the area and parking citations issued in the area to better understand the parking situation.

Conditions of Approval: N/A

Motion By: Jeff Whitlock

Second By: Andrew South

Votes in Favor of Motion: Jeff Whitlock, Andrew South, Daniel Gonzales, Robert Knudsen, Barbara DeSoto, Melissa Kendall  
Daniel Gonzales was present as Chair.

- Includes facts of the case, analysis, conclusions and recommendations outlined in the Staff Report, with any changes noted; Planning Commission determination is generally consistent with the Staff analysis and determination.

### **STAFF PRESENTATION**

The Staff Report to the Planning Commission provides details of the facts of the case and the Staff's analysis, conclusions, and recommendations.

### **CITY DEPARTMENTAL ISSUES**

- The Coordinator Review Committee (CRC) has reviewed the application.

### **NEIGHBORHOOD MEETING DATE**

- A neighborhood meeting was held on 02/21/2022.

### **NEIGHBORHOOD AND PUBLIC COMMENT**

- The Neighborhood Chair was not present or did not address the Planning Commission during the hearing.
- Neighbors or other interested parties were present or addressed the Planning Commission.

### **CONCERNS RAISED BY PUBLIC**

Any comments received prior to completion of the Staff Report are addressed in the Staff Report to the Planning Commission. Key issues raised in written comments received subsequent to the Staff Report or public comment during the public hearing included the following:

- Multiple letters have been provided to the Planning Commission prior to the hearing so they had a chance to review these.
- The city keeps giving away parking and that needs to stop. In the future, self-driving cars may help reduce the problem.
- Nearby property owner expressed concern for the traffic and parking congestion this would bring. To pay for school and housing they need to have jobs that they need a car to get to and from work.
- The close proximity to campus is a good thing this development has going for it. Having a grocery store at this site would be a great mixed use.

- Married students still can have two cars and will look for free parking to save money.
- Some families function with only one car and can bike to many of their destinations.
- More married housing is needed as the market is very tight right now.
- Widening roads and providing more parking will just continue to encourage students to drive instead of bike and walk.
- Cars are very expensive at about \$10,000 per year to own and maintain.
- Being hopeful that parking won't be a problem is one thing, but history has shown that it is a problem and this will add to it if the parking requirements are reduced.
- Sharing four cars for this large of a development is not going to be enough.

**APPLICANT RESPONSE**

Key points addressed in the applicant's presentation to the Planning Commission included the following:

- In 2011 this site was approved for batching singles and now the plans have been changed to family occupancy.
- Parking will be in a garage and not surface parking. This improves the aesthetics of the building from the street view.
- The property is so close to BYU and transit.
- The roof deck is expensive, but will be a great amenity to have along with the other amenities.
- This will not exceed the building height of the zone.
- The plan is to have this be advertised as married housing and not singles. The plan is to rent to that group.
- The applicant expressed a willingness to have a development agreement that would limit the occupancy to two individuals, and that the parking will be included in the rent and not have an extra fee.
- The property is already zoned CMU and by providing this housing it will help keep students out of the heart of the Joaquin neighborhood.
- Tenants will be charged for the car share program in an effort to incentivize that they use it, because they are paying for it.

**PLANNING COMMISSION DISCUSSION**

Key points discussed by the Planning Commission included the following:

- The applicant was asked if they have considered having commercial incorporated into the development. The applicant discussed how on the same block there is already the Brick Oven restaurant.
- An option to consider would be shared parking with Brick Oven.
- Monthly rent would be about \$1,600 per unit.
- Parking staff was asked about the current parking issues in the area. A big percentage of the parking citations are issued in the Joaquin area. A 10% reduction in the parking requirement would be appropriate, but not a 30% reduction.

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Planning Commission Chair

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Director of Development Services

See Key Land Use Policies of the Provo City General Plan, applicable Titles of the Provo City Code, and the Staff Report to the Planning Commission for further detailed information. The Staff Report is a part of the record of the decision of this item. Where findings of the Planning Commission differ from findings of Staff, those will be noted in this Report of Action.

Legislative items are noted with an asterisk (\*) and require legislative action by the Municipal Council following a public hearing; the Planning Commission provides an advisory recommendation to the Municipal Council following a public hearing.

Administrative decisions of the Planning Commission (items not marked with an asterisk) **may be appealed** by submitting an application/notice of appeal, with the required application and noticing fees to Development Services, 445 W Center Street, Provo, Utah, **within fourteen (14) calendar days of the Planning Commission's decision** (Provo City office hours are Monday through Thursday, 7:00 a.m. to 6:00 p.m.).

BUILDING PERMITS MUST BE OBTAINED BEFORE CONSTRUCTION BEGINS